IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5010 OF 2006

Shri Sadashiv Trambak Rajebahadur
and Ors. ....Petitioners

Versus

Smt.Girijabai Trambak Rajebahadur
and Ors. ....Respondents

Mr.S.M.Gorvadkar, Adv. for the petitioners.

CORAM: S.C.DHARMADHIKARI, J.

21.11.2007

P.C. :

1. The order passed is inter-locutory. The suit is of 1998-99. If the petitioner has any grievance subsisting after the final orders in the suit, then, while impugning the same, he can also raise appropriate pleas with regard to the application which has been disposed off as rejected by the impugned order. Keeping all contentions open to the parties in that behalf, the

present petition is dismissed.

2. Mr.Gorvadkar states that this is a family dispute and the branches are locked in litigation for considerable period. The present suit is also pending for nearly ten years. In such circumstances, the Trial Court to make an endeavour under Section 89 of the Code of Civil Procedure and to impress upon the parties to the litigation to have their disputes resolved by mediation or conciliation.

(S.C.Dharmadhikari, J)